



Case No.: 26308

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bolduc Docket No.: 9494.18398
Serial No.: 10/692,282 Examiner: Isabella, David J.
Filed: 23 October 2003 Group Art Unit: 3738
Title: Catheter-Based Fastener Implantation Apparatus and Methods

RENEWED PETITION FOR AN UNINTENTIONALLY DELAYED BENEFIT
CLAIM PURSUANT TO 37 C.F.R. §1.78(a)(3)

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



Dear Sir:

Applicant requests to amend the benefit claim under 35 U.S.C. §120 of the above-noted application, as follows in marked-up form:

This application ~~claims the benefit is a continuation-in-part~~ of co-pending United States Patent Application Serial No. 10/307,226, filed November 29, 2002. This application ~~is also a continuation-in-part~~ ~~claims the benefit~~ of co-pending United States Patent Application Serial No. 10/271,334, filed October 15, 2002, ~~which~~ [.] This application also claims the benefit of co-pending United States Provisional Application Serial No. 60/333,937, filed 28 November 28, 2001.

Applicant's Amendment A amending the priority claim as proposed is submitted herewith.

Applicant states that the entire delay between the date the claim was due under paragraph (a)(2)(ii) of 37 C.F.R. §1.78 and the date the claim was filed was unintentional.

Applicant hereby petitions for acceptance of the unintentionally delayed benefit claim.

The requisite fee under 37 C.F.R. §1.17(t) was previously submitted on 12 November 2004.

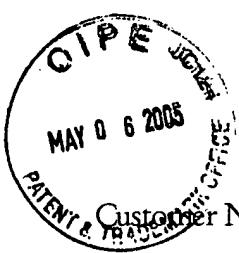
Respectfully Submitted,

By Patricia A. Limbach
Patricia A. Limbach
Registration No. 50,295

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4 May 2005
Customer No.: 26308

APLMS/18398/050504 Renewed Petition Under 37 C.F.R. 1.78(a)(3)

Enclosures: Amendment A
 Return Postcard



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Applicant: Bolduc Docket No.: 9494.18398

Serial No.: 10/692,282 Examiner: Isabella, David J.

Filed: 23 October 2003 Group Art Unit: 3738

Title: Catheter-Based Fastener Implantation Apparatus and Methods

AMENDMENT A

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

Please amend the application as follows:

AMENDMENTS TO THE SPECIFICATION

Please amend the Related Applications paragraph beginning on page 1, line 4 as follows in marked-up form:

This application ~~claims the benefit~~ is a continuation-in-part of co-pending United States Patent Application Serial No. 10/307,226, filed November 29, 2002. This application ~~is~~ also a continuation-in-part ~~claims the benefit~~ of co-pending United States Patent Application Serial No. 10/271,334, filed October 15, 2002, which [.] This application also claims the benefit of co-pending United States Provisional Application Serial No. 60/333,937, filed 28 November 28, 2001.

REMARKS

The specification has been amended to more particularly state the relationship of related applications. A Renewed Petition for an Unintentionally Delayed Benefit Claim Pursuant to 37 C.F.R. §1.78(a)(3) is submitted herewith.

Entry of this preliminary amendment is respectfully requested.

Respectfully Submitted,

By Patricia A. Limbach
Patricia A. Limbach
Registration No. 50,295

RYAN KROMHOLZ & MANION, S.C.
Post Office Box 26618
Milwaukee, Wisconsin 53226
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Apus/18398/050504 Amendment A



DAC/IZW

CERTIFICATE OF FIRST CLASS MAIL

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, with sufficient postage, on the date indicated below in an envelope addressed as follows: Mail Stop Petition, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450

By:

Linda S. Wenzel

Linda S. Wenzel

Dated: 4 May 2005